

THIRTY-FOURTH LEGISLATIVE DAY

The House met at 2:00 p.m. and was called to order by Mr. Speaker McWherter.

The proceedings were opened with prayer by Mr. George Goldtrap, Jr., Associate Minister, Madison Church of Christ, Madison, Tennessee.

Representative Hillis led the House in the Pledge of Allegiance to the Flag.

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Bills Nos. 10, 604, 855 and 859; and House

Resolution No. 56; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Bills Nos. 10, 604, 855 and 859 and House Resolution No. 56.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 71, 605, 621, 687, 746, 935 and 1067 all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 71, 605, 621, 687, 746, 935 and 1067.

RULES SUSPENDED

Mr. Gill moved that the twenty-five bill provision of Rule No. 48 be suspended in order to add the General Appropriations Bill and the appropriate bond bills to the House Calendar for Tuesday, May 3, 1983, which motion prevailed.

Mr. Gill moved that the twenty-five bill provision of Rule No. 48 be suspended in order to consider thirty bills on all remaining Calendars for this session with the exception of May 3, which motion prevailed.

CALENDAR

Mr. Jared moved that House Bill No. 668 be placed on the Calendar for the second day of 1984 session, which motion prevailed.

House Bill No. 1135--To amend Employment Security Law.

Mr. Hudson moved that House Bill No. 1135 be passed on third and final consideration.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1135 by adding thereto the following new section to be inserted between Sections 7 and 8 of the amendment and

renumbering the subsequent sections as Section 9 and Section 10 to reflect this change:

"Section 8. Tennessee Code Annotated, Section 50-1324 (K), shall be amended by deleting the punctuation at the end of the first sentence therefrom and by substituting instead the following punctuation and language:

; provided that such total amount of benefits, if not a multiple of one dollar (\$1.00) shall be computed at the next lower multiple of one dollar (\$1.00)."

AND FURTHER AMEND:

in the renumbered Section 9, by adding thereto in renumbered Section 9 (i), on line three between the words "terms and" of the amendatory language the phrase "if such individual performs such services in the first of such academic years or terms".

AND FURTHER AMEND:

by deleting the present Section 9 of the amendment in its entirety and substituting instead:

"Section 10. Section 3 of this Act is effective on January 1, 1983. Sections 1 and 2 shall take effect upon becoming law, the public welfare requiring it. Sections 4, 5, 6, 7, and 8 shall take effect for benefit years established on and after July 4, 1983. Section 9 shall take effect October 1, 1983."

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1135 by deleting SECTION 9 in its entirety and by substituting instead the following:

SECTION 9. Tennessee Code Annotated, Section 50-1323 (G) is amended by deleting items (1) and (2) in their entirety and by substituting instead the following:

(1) With respect to services performed in an instructional, research, or principal administrative capacity for an educational institution, benefits shall not be paid based on such service for any week of unemployment commencing during the period between two successive academic years or terms (or, when an agreement provides instead for a similar period between two regular but not successive terms, during such period) or during a period of paid sabbatical leave provided for in the individual's contract, to any individual if such individual performs such services in the

first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms. Subdivision (F) of this section shall apply with respect to such services prior to January 1, 1978.

(2) With respect to services performed in any other capacity for an educational institution:

(i) Benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between to successive academic years or terms if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, except that

(ii) if compensation is denied to any individual for any week under Subclause (i) above and such individual was not offered an opportunity to perform such services for any educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of Subclause (i) above.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1135, as amended passed its third and final consideration by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson,

Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--94.

Representative voting no was: Kernell--1.

A motion to reconsider was tabled.

House Bill No. 1178--To make certain provisions, unemployment compensation.

Mr. Hudson moved that House Bill No. 1178 be passed on third and final consideration.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1178 by inserting the words ", except any employer who has not had benefits charged against his account during the two (2) year period immediately preceding such December 31 and who has not had a negative balance in his account during the same two (2) year period," between the words "employer" and "shall" in the amendatory subsection (a) of Section 1.

AND FURTHER AMEND by inserting the word "such" between the words "each" and "employer" in the amendatory subsections (b), (c) and (d) of Section 1.

On motion, the amendment was adopted.

Thereupon, House Bill No. 1178, as amended, passed its third and final consideration by the following vote:

Ayes 93
Noes 3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Yelton and Mr. Speaker McWherter--93.

Representatives voting no were: Covington, Kernell and McKinney--3.

A motion to reconsider was tabled.

Mr. Speaker McWherter relinquished the Chair to Mr. Brewer, Speaker pro tem.

House Bill No. 1192--To transfer Planning Office to Economic and Community Development.

Mr. Hudson moved that House Bill No. 1192 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frenslley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1173--To limit authority to refund taxes.

On motion, House Bill No. 1173 was made conform with Senate Bill No. 1091.

On motion, Senate Bill No. 1091, on same subject, was substituted for House Bill No. 1173.

Mr. Hudson moved that Senate Bill No. 1091 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	0
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell,

Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives present and not voting were: Cobb and Covington--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 915--To make certain provisions, written contracts and security interest.

On motion, House Bill No. 915 was made to conform with Senate Bill No. 618.

On motion, Senate Bill No. 618, on same subject, was substituted for House Bill No. 915.

Mr. Gill moved that Senate Bill No. 618 be passed on third and final consideration.

Mr. McKinney moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 618 by deleting the period "." at the end of Section 1(a) and at the period "." at the end of Section 1(b) and by substituting in both places the following words and punctuation:

or limit the right of any party to assert any other defense provided by common law or statutory law in regard to contracts.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 618, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work and Yelton--93.

Representative present and not voting was: Cobb--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1172--To define powers, certain regulatory boards.

On motion, House Bill No. 1172 was made to conform with Senate Bill No. 1060.

On motion, Senate Bill No. 1060, on same subject, was substituted for House Bill No. 1172.

Ms. Duer moved that Senate Bill No. 1060 be passed on third and final consideration.

Mr. Clark (Davidson) moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 1060 by deleting all amendatory language in SECTION 1 preceding subsection (A) thereof and substituting the following:

To promulgate rules, in accordance with the provisions of Tennessee Code Annotated, Title 4, Chapter 5 and subject to the approval of the affected board(s), establishing the renewal dates of any licenses, certificates, or permits issued by any regulatory board except the board of barber examiners which is attached to the division of regulatory boards of the department of insurance under Section 4-3-1304, any provisions of the law to the contrary notwithstanding; provided, however, that:

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 1060, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--93.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Joint Resolution No. 84--Relative to study, deposit of official documents.

Mr. Davis (Hamilton) moved that House Joint Resolution No. 84 be adopted, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1157--To amend motor vehicle fuel use tax.

On motion, House Bill No. 1157 was made to conform with Senate Bill No. 1087.

On motion, Senate Bill No. 1087, on same subject, was substituted for House Bill No. 1157.

Mr. Clark (Sumner) moved that Senate Bill No. 1087 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensey, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 794--To amend Title 67, Chapter 6, Code.

On motion, House Bill No. 794 was made to conform with Senate Bill No. 517.

On motion, Senate Bill No. 517, on same subject, was substituted for House Bill No. 794.

Mr. Wheeler moved that Senate Bill No. 517 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 517 by adding the following language at the

end of Section 1:

This section shall apply to any such acquisition creating two or more noncontiguous parcels on or after January 1, 1981.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 517, as amended, passed its third and final consideration by the following vote:

Ayes	92
Noes	0
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representatives present and not voting were: Bragg, Cobb and Moore (Shelby)--3.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1177--To make certain provisions, unemployment compensation.

Mr. Hudson moved that House Bill No. 1177 be passed on third and final consideration.

Mr. Hudson moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1177 by deleting Sections 1 through 15 thereof in their entirety and substituting instead:

SECTION 1. Tennessee Code Annotated, Section 50-1322 (B), is amended by deleting in its entirety and substituting instead:

"(B) WEEKLY BENEFIT AMOUNT. An individual's weekly benefit amount shall be the amount appearing in column B in the table in this subsection, on the line on which in column A of such table there appears the average total wages for insured work paid to such individual in the two quarters in his base period in which such total wages are highest. Total wages for insured work as used herein shall be deemed to mean all remuneration paid to an employee in the base period by employers.

Column A	Column B
Average Wages Paid in Highest Two Quarters of Base Period	Weekly Benefit Amount
\$ 754.01 through \$ 780.00	\$ 30.00
780.01 through 806.00	31.00
806.01 through 832.00	32.00
832.01 through 858.00	33.00
858.01 through 884.00	34.00
884.01 through 910.00	35.00
910.01 through 936.00	36.00
936.01 through 962.00	37.00
962.01 through 988.00	38.00
988.01 through 1,014.00	39.00
1,014.01 through 1,040.00	40.00
1,040.01 through 1,066.00	41.00
1,066.01 through 1,092.00	42.00
1,092.01 through 1,118.00	43.00
1,118.01 through 1,144.00	44.00
1,144.01 through 1,170.00	45.00
1,170.01 through 1,196.00	46.00
1,196.01 through 1,222.00	47.00
1,222.01 through 1,248.00	48.00
1,248.01 through 1,274.00	49.00
1,274.01 through 1,300.00	50.00
1,300.01 through 1,326.00	51.00
1,326.01 through 1,352.00	52.00
1,352.01 through 1,378.00	53.00
1,378.01 through 1,404.00	54.00
1,404.01 through 1,430.00	55.00
1,430.01 through 1,456.00	56.00
1,456.01 through 1,482.00	57.00
1,482.01 through 1,508.00	58.00
1,508.01 through 1,534.00	59.00
1,534.01 through 1,560.00	60.00
1,560.01 through 1,586.00	61.00
1,586.01 through 1,612.00	62.00
1,612.01 through 1,638.00	63.00
1,638.01 through 1,664.00	64.00
1,664.01 through 1,690.00	65.00
1,690.01 through 1,716.00	66.00
1,716.01 through 1,742.00	67.00

1,742.01 through 1,768.00	68.00
1,768.01 through 1,794.00	69.00
1,794.01 through 1,820.00	70.00
1,820.01 through 1,860.00	71.00
1,860.01 through 1,900.00	72.00
1,900.01 through 1,940.00	73.00
1,940.01 through 1,980.00	74.00
1,980.01 through 2,020.00	75.00
2,020.01 through 2,060.00	76.00
2,060.01 through 2,100.00	77.00
2,100.01 through 2,140.00	78.00
2,140.01 through 2,180.00	79.00
2,180.01 through 2,220.00	80.00
2,220.01 through 2,260.00	81.00
2,260.01 through 2,300.00	82.00
2,300.01 through 2,340.00	83.00
2,340.01 through 2,380.00	84.00
2,380.01 through 2,420.00	85.00
2,420.01 through 2,460.00	86.00
2,460.01 through 2,500.00	87.00
2,500.01 through 2,540.00	88.00
2,540.01 through 2,580.00	89.00
2,580.01 through 2,620.00	90.00
2,620.01 through 2,660.00	91.00
2,660.01 through 2,700.00	92.00
2,700.01 through 2,740.00	93.00
2,740.01 through 2,780.00	94.00
2,780.01 through 2,820.00	95.00
2,820.01 through 2,860.00	96.00
2,860.01 through 2,900.00	97.00
2,900.01 through 2,940.00	98.00
2,940.01 through 2,980.00	99.00
2,980.01 through 3,020.00	100.00
3,020.01 through 3,060.00	101.00
3,060.01 through 3,100.00	102.00
3,100.01 through 3,140.00	103.00
3,140.01 through 3,180.00	104.00
3,180.01 through 3,220.00	105.00
3,220.01 through 3,260.00	106.00
3,260.01 through 3,300.00	107.00
3,300.01 through 3,340.00	108.00
3,340.01 through 3,380.00	109.00
3,380.01 through 3,420.00	110.00
(Effective for Benefit Years Established on or After January 2, 1984)	
3,420.01 through 3,460.00	111.00
3,460.01 through 3,500.00	112.00
3,500.01 through 3,540.00	113.00
3,540.01 through 3,580.00	114.00
3,580.01 through 3,620.00	115.00
(Effective for Benefit Years Established on or After January 7, 1985)	
3,620.01 through 3,660.00	116.00

3,660.01 through 3,700.00	117.00
3,700.01 through 3,740.00	118.00
3,740.01 through 3,780.00	119.00
3,780.01 and over	120.00

In order to qualify for benefits, beginning with those benefit years established on July 4, 1983, and continuing thereafter for those benefit years established through and including July 6, 1985, an individual otherwise entitled to such benefits must have base period wages in a quarter other than the two highest quarters of the base period equal to at least one hundred and thirty-five dollars (135.00)."

SECTION 2. Tennessee code Annotated, Section 50-1322 (D), is amended by deleting the first sentence and substituting instead: "Beginning with those benefit years established on July 4, 1983, and continuing thereafter for those benefit years established through and including July 6, 1985, any otherwise eligible individual shall be entitled during any benefit year to a total amount of benefits equal to whichever is the lesser of (1) twenty-six (26) times his weekly benefit amount or (2) one fourth (1/4) of his wages for insured work paid during his base period." and by adding to the last sentence "and provided further, no claimant will be entitled to benefits if sixty-five percent (65%) or more of his base period earnings are earned in his highest quarter."

SECTION 3. Tennessee Code Annotated, Section 50-1327, is amended by adding thereto the following:

"(c) At the conclusion of business on June 30, and December 31, of each year, the commissioner shall determine and publish the balance of the unemployment trust fund. If on either date the balance is less than three hundred million dollars (300,000,000.00), each employer's quarterly contributions shall include a solvency rate of seven percent (7%) of each employer's effective contribution rate.

(1) The solvency rate shall be determined by multiplying the employer's contribution rate by seven percent (7%). The product shall then be multiplied by the employer's taxable wages to determine his solvency contribution. This contribution shall be due and payable on the same date on which regular contributions are due and payable as prescribed by the commissioner. Solvency contributions which are unpaid on that date shall bear interest at the same rate as for regular contributions.

(2) The amount of the solvency contributions will not be included in the determination of an employer's experience rating.

(3) All remedies applicable to the collection of employer contributions are applicable hereto."

SECTION 4. Tennessee Code Annotated, Section 50-1328 (2), shall be amended by deleting the first two sentences and substituting instead:

"Benefit experience - there shall be two methods used in determining the experience rating of an employer. In each method the benefit experience is to be determined from the reserve ratio.

The reserve ratio of each employer shall be determined by totalling all contributions paid by that individual employer for all years during which that employer has been subject to this chapter and subtracting therefrom the total of all benefits charged to the account of that employer for all years. The difference shall be divided by the average taxable payroll of that employer for the three (3) most recent calendar years, ending on the computation date. The resulting quotient shall be the reserve ratio for that employer. The employer contribution rate shall be determined by matching the reserve ratio to the appropriate contribution rate in tables 1, 2, 3, 4, 5, and 6 in Section 50-1328 (7).

Notwithstanding the provisions of TCA 50-1328 (6), the reserve ratio assigned to all new employers shall be determined by ascertaining which of the Standard Industrial Classification (SIC) Codes his industry or business is in. The Standard Industrial Classification Codes and the code numbers of the industries or businesses within each classification are:

01-09 Agriculture

10-14 Mining

15-17 Construction

20-39 Manufacturing

40-49 Transportation

50-59 Trade

60-67 Finance, Insurance, Real Estate

70-89 Services

A separate reserve ratio is determined for each classification by totalling all contributions paid by all employers within the same classification for all years

during which these employers have been subject to this chapter and subtracting therefrom the total of all benefits charged to the accounts of those employers for all years. The difference shall be divided by the average taxable payrolls of those employers for the three (3) most recent calendar years, ending on the computation date. The new employer contribution rate shall be two and seven-tenths percent (2.7%) except when the industry or business of the new employer falls within a classification of the Standard Industrial Classification Code which has a reserve ratio of minus four percent (-4%) or less. In those instances only, the new employer contribution rates shall be determined by matching the reserve ratios to the appropriate contribution rates in tables 1, 2, 3, 4, 5, and 6 in Section 50-1328 (7). This new employer contribution rate will be assigned until his individual account has been chargeable with benefits throughout the thirty-six (36) consecutive calendar month period ending on the computation date. This new employer contribution rate shall apply to all employers whose first payroll was subsequent to June 30, 1983."

SECTION 5. Tennessee Code Annotated, Section 50-1328 (2), is amended by deleting "two and seven-tenths percent (2.7%) and substituting instead "the new employer contribution rate" when it appears in the second paragraph, seventh sentence and the third paragraph, first sentence.

SECTION 6. Tennessee Code Annotated, Section 50-1328 (5), is amended by deleting "hereinafter" and substituting instead "herein" when it appears.

SECTION 7. Tennessee Code Annotated, Section 50-1328 (8), is amended by adding at the beginning of the first sentence: "Except as otherwise provided in 50-1328 (2)."

SECTION 8. Tennessee Code Annotated, Section 50-1328 (7), is deleted in its entirety and substituting instead:

"(7) Variations from the standard rate of contributions for employers other than those referred to in Sections 50-1309 (1) (B) (i) and 50-1309 (1) (B) (ii) shall be determined, beginning July 1, 1983, by the reserve ratio of each employer in accordance with tables 1, 2, 3, 4, 5, and 6 as set forth below, depending upon the provisions of subsection (11) of this section.

RESERVE RATIO PERCENT

RATE

TABLE 1	TABLE 2	TABLE 3	TABLE 4	TABLE 5	TABLE 6
Trust	Trust	Trust	Trust	Trust	Trust
Fund	Fund	Fund	Fund	Fund	Fund

WEDNESDAY, APRIL 27, 1933—34th LEGISLATIVE DAY

	Under \$100 Million	\$100 to \$150 Million	\$150 to \$200 Million	\$200 to \$250 Million	\$250 to \$300 Million	\$300 Million and over
20.0 and over	.50	.45	.40	.30	.20	.15
18.0 and less than 20.0	.70	.65	.55	.35	.25	.20
16.0 and less than 18.0	.90	.70	.65	.40	.30	.25
14.0 and less than 16.0	1.1	.75	.70	.40	.37	.32
12.0 and less than 14.0	1.3	1.2	1.0	.50	.45	.40
11.0 and less than 12.0	1.6	1.4	1.2	.75	.68	.60
9.5 and less than 11.0	2.1	1.8	1.5	1.0	.90	.80
8.0 and less than 9.5	2.5	2.1	1.8	1.2	1.1	1.0
7.0 and less than 8.0	2.9	2.5	2.1	1.5	1.4	1.3
6.0 and less than 7.0	3.3	2.8	2.4	1.8	1.7	1.6
5.0 and less than 6.0	3.8	3.2	2.7	2.1	2.0	1.9
2.7 and less than 5.0	4.1	3.5	3.0	2.4	2.3	2.2
0.0 and less than 2.7	4.5	3.9	3.3	3.0	2.7	2.6
Less than 0.0 and more than -2.0	5.0	5.0	5.0	5.0	5.0	5.0
-2.0 and more than -4.0	5.5	5.5	5.5	5.5	5.5	5.5
-4.0 and more than -6.0	6.0	6.0	6.0	6.0	6.0	6.0
-6.0 and more than -8.0	6.5	6.5	6.5	6.5	6.5	6.5
-8.0 and more than -10.0	7.0	7.0	7.0	7.0	7.0	7.0
-10.0 and more than -12.0	7.5	7.5	7.5	7.5	7.5	7.5
-12.0 and more than -14.0	8.0	8.0	8.0	8.0	8.0	8.0
-14.0 and more than -16.0	8.5	8.5	8.5	8.5	8.5	8.5
-16.0 and more than -18.0	9.0	9.0	9.0	9.0	9.0	9.0
-18.0 and more than -20.0	9.5	9.5	9.5	9.5	9.5	9.5
-20.0 and under	10.0	10.0	10.0	10.0	10.0	10.0

Variations from the standard rate of contributions for governmental employers referred to in Sections 50-1309 (1) (B) (i) and 50-1309 (1) (B) (ii) shall be determined by the reserve ratio of each governmental employer in accordance with table 7 set forth below.

TABLE 7**APPLICABLE TO GOVERNMENTAL EMPLOYERS**

RESERVE RATIO PERCENT	TAX RATE PERCENT
8.0 and OVER	0.3
7.0 and less than 8.0	0.4
6.0 and less than 7.0	0.6
5.0 and less than 6.0	0.8
4.0 and less than 5.0	1.0
3.0 and less than 4.0	1.2
2.0 and less than 3.0	1.4
1.5 and less than 2.0	1.5
1.0 and less than 1.5	1.6
0.5 and less than 1.0	1.7
0.0 and less than 0.5	1.8
Less than 0.0 and more than - 3.5	2.0
-3.5 and more than - 7.0	2.2
-7.0 and more than -10.0	2.4
-10.0 and more than -13.0	2.7
-13.0 and under	3.0"

SECTION 9. Tennessee Code Annotated, Section 50-1329 (A), is amended by deleting "one percent (1%)" where it appears and substituting instead "one and one-half percent (1 1/2%)".

SECTION 10. Tennessee Code Annotated, Section 50-1329 (B), is amended by deleting the first sentence in its entirety and substituting instead the following new paragraphs:

"If after due notice, any employer defaults in any payment of contributions, interest thereon, penalties, or costs prescribed in this chapter, the amount due shall be a lien in favor of the department of employment security upon the assets of such employer. The lien shall commence upon the date the contribution, interest, or penalties become due and shall be enforced by original attachment issued by any court having jurisdiction of the amount claimed to be due, as provided by TCA Section 66-21-101.

"The commissioner shall cause a notice of such lien to be recorded in the office of the county register of deeds in the county or counties in which the employer's business or residence is located, or in any county in which the employer has an interest in property and such notice shall be

recorded in the same manner as liens recorded in that office. There shall be no fees collected by the county register at the time such notice is recorded, but he shall extend credit to the department of employment security for such fees as are chargeable and submit his bill at the end of each month to the department in order to obtain payment."

SECTION 11. Tennessee Code Annotated, Section 50-1329 (B), is amended by inserting between the second and third paragraphs the following new paragraph:

"If the commissioner or his delegate determines that the collection of contributions under this title will be jeopardized by delay, he shall, whether or not contributions accrued have become due, immediately assess such contributions (together with all interest, penalties, and costs). The amount of such assessment shall there upon become immediately due and payable, and immediate notice and demand shall be made by the commissioner or his delegate for the payment thereof."

SECTION 12. Tennessee Code Annotated, Section 50-1329 (D), is deleted in its entirety, and substituting instead the following:

"(D) Surety Bonds And Forfeiture Of Right To Do Business Upon Non-compliance.

(1) All new contributing employers who enter into business on or after January 1, 1984, shall be required to post with the commissioner a bond with good and sufficient sureties issued by a licensed surety company acceptable to the commissioner and authorized to do business in the state of Tennessee, in an amount which the commissioner shall determine to be sufficient for the payment of all contributions due to the state in the first year of their operation.

Compliance with the above requirement may also be accomplished by the deposit of cash equal to the amount hereinabove described or other such demonstrations of fiscal responsibility as may be satisfactory to the commissioner.

An employer shall continue to be subject to this requirement for each year thereafter. However, an employer may cease to be subject to this requirement provided it has achieved a positive experience rating.

(2) An employer liable for contributions under the provisions hereof who fails to make and file his returns and reports as required, or fails to post such

bonds or securities with the commissioner as provided herein, or who fails to pay any contributions when due under the provisions hereof shall forfeit its rights to do business in this state until it complies with all provisions of this chapter, and the commissioner may proceed by injunction to prevent the continuance of said business upon such failure by the employer, by applying to a court of competent jurisdiction therefor, and any temporary injunction enjoining the continuance of such business may be granted after reasonable notice of not less than ten (10) days by any judge or chancellor now authorized by law to grant injunctions. The provisions of this subsection are to be deemed as cumulative and in addition to any other provisions hereof relating to the collection of contributions by the commissioners."

SECTION 13. Tennessee Code Annotated, Section 50-1362 (c) (1), is amended by deleting the number "(10)" and substituting instead the number "(8)".

SECTION 14. Tennessee Code Annotated, Chapter 50, Title 13, is amended by adding thereto the following:

"Interest due on advancements. - (a) In addition to all other contributions due under the provisions of the Tennessee Employment Security Law, if on any December 31, the fund is utilizing moneys advanced by the federal government under provisions of 42 USCA, Section 1321, and interest will be owed thereon, each employer shall be assessed an amount which will be used exclusively for the payment of interest due on such federal advance.

(b) The rate at which each employer will be assessed shall be determined by dividing the interest due on December 31, by ninety-five percent (95%) of the total taxable wages paid by all Tennessee employers in the calendar year ending on December 31, of the same year.

(c) In order to determine the assessment of each employer, multiply the rate as determined in section (b) above by each employer's total taxable wages paid in the calendar year ending on December 31, of the same year.

(d) Each employer shall be notified of the amount due as a result of this provision on, or before the next June 30. Such amount shall be considered delinquent if not paid on, or before the next July 31. Such amounts which are unpaid on the date due and payable shall bear interest at the same rate as for regular contributions.

(e) The amount of the assessment will not be included in the determination of an employer's experience rating.

(f) There is created in the state treasury a special fund, separate and apart from all other funds in such treasury to be known as the interest paid on advancement fund (IPA fund).

(g) All moneys collected under the provisions of this section shall be deposited into the interest paid on advancement fund and are appropriated and made available exclusively to the commissioner of the department of employment security for use in paying interest owed on advancements.

(h) In no instance, however, will assessment of less than five dollars (\$5.00) be charged.

(i) All remedies applicable to the collection of employer contributions are applicable hereto."

SECTION 15. Sections 1 and 2 of this Act shall take effect for benefit years established on or after July 4, 1983, Section 3 of this Act shall take effect on June 30, 1983, and Sections 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, and 14 shall take effect July 1, 1983, the public welfare requiring it.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1177 by inserting the words ", except any employer who has not had benefits charged against his account during the two (2) year period immediately preceding such December 31 and who has not had a negative balance in his account during the same two (2) year period," between the words "employer" and "shall" in the amendatory subsection (a) of Section 14.

AND FURTHER AMEND by inserting the word "such" between the words "each" and "employer" in the amendatory subsections (b), (c) and (d) of Section 14.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1177 by adding the following new section:

SECTION ____ . Tennessee Code Annotated, Title 50, Chapter 13, is amended by adding a new section which reads as follows:

(a) The Department of Employment Security shall develop by October 1, 1983, and revise when necessary, a comprehensive and systematic method of developing projections for all unemployment trust fund income and expenditures using accepted statistical projection techniques and a clearly defined and adequately documented body of data. This model for projecting unemployment trust fund balances and any subsequent revisions of the model shall be reviewed by the Comptroller of the Treasury prior to implementation of the model or such revisions for the purpose of reporting to the Finance, Ways and Means Committees.

(b) The commissioner shall submit a report to the General Assembly each January to present the unemployment trust fund balance of the preceding December 31, and monthly projections of trust fund revenues, expenditures, and fund balance for the eighteen (18) months beginning January 1. Such report shall include the major assumptions and the methodology used in arriving at such estimates and shall be based on the model developed pursuant to subsection (a).

(c) The report required in subsection (b) shall be reviewed by the Comptroller of the Treasury, who shall make a written report to the Committees on Finance, Ways and Means of the Senate and the House relating to the reasonableness of the estimates.

On motion, the amendment was adopted.

Mr. Bragg moved to amend as follows:

AMENDMENT NO. 4

Amend House Bill No. 1177 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION__. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Copeland moved to amend as follows:

AMENDMENT NO. 5

Amend House Bill No. 1177 by adding the following language as a new section to be appropriately numbered immediately preceding the

effective date section, and by renumbering the effective date section accordingly:

SECTION ____ . The department of employment security shall attempt to develop a system of rating employers which will ensure that an employer who goes out of business and reorganizes as a new business with substantially the same owners shall not be rated as a new employer but such business shall retain the same rating it maintained under the old business.

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed by the following vote:

Ayes	74
Noes	17

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Davidson), Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hurley, Huskey, Jared, Kelley, Kent, King (Shelby), King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murray, Naifeh, Nance, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Severance, Shockley, Sir, Stafford, Stallings, Starnes, Tanner, Turner, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wood, Work, Yelton and Mr. Speaker McWherter--74.

Representatives voting no were: Burnett, Cobb, Covington, DeBerry, Disspayne, Drew, Duer, Johnson, Jones, McKinney, Murphy, Pickering, Scruggs, Shirley, Smith, Withers and Wolfe--17.

Thereupon, House Bill No. 1177, as amended, passed its third and final consideration by the following vote:

Ayes	74
Noes	23

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Copeland, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Kelley, Kent, King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--74.

Representatives voting no were: Brewer, Burnett, Cobb, Covington, Crain, Davidson, Davis (Pickett), Dills, Disspayne, Dixon, Gafford, Harrill, Huskey, Johnson, Jones, Kernell, McKinney, Napier, Pickering, Robinson (Washington), Shirley, Sir and Withers--23.

A motion to reconsider was tabled.

House Bill No. 694--To make certain provisions, pharmacy.

On motion, House Bill No. 694 was made to conform with Senate Bill No. 461.

On motion, Senate Bill No. 461, on same subject, was substituted for House Bill No. 694.

Mr. McNally moved that Senate Bill No. 461 be passed on third and final consideration.

Mr. Johnson moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 461 by adding after the first paragraph of the amendatory language of Section 1 the following:

The continuing education requirement established by this subsection shall be voluntary only until July 1, 1985, at which time the requirement shall be mandatory.

On motion, the amendment was adopted.

Mr. Johnson moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 461 by adding after the first paragraph of the amendatory language of Section 1 the following:

After five (5) consecutive years of compliance with the continuing education requirement established by this subsection, a doctor of pharmacy degree shall be awarded to any applicant so complying.

On motion, the amendment was adopted.

Mr. McKinney moved the previous question, which motion prevailed.

Thereupon, Senate Bill No. 461, as amended, passed its third and final consideration by the following vote:

Ayes	93
Noes	1
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--93.

Representative voting no was: Burnett--1.

Representative present and not voting was: Brewer--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1031--To prohibit discrimination, handicapped individuals, consumer credit.

On motion, House Bill No. 1031 was made to conform with Senate Bill No. 965.

On motion, Senate Bill No. 965, on same subject, was substituted for House Bill No. 1031.

Mr. Yelton moved that Senate Bill No. 965 be passed on third and final consideration.

Mr. Yelton moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 965 by adding the following language to be designated as Section 2 and by renumbering subsequent sections accordingly:

SECTION 2. Tennessee Code Annotated, Section 47-17-102, is amended by adding the following language at the end of the first paragraph in this section:

"Handicapped" as used in this section shall mean any physically handicapped person who meets the requirements for

handicapped drivers established in Section 55-21-102 (a), and any other individual not otherwise covered under provisions of this act who is certified as handicapped by a physician duly licensed to practice medicine in Tennessee.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 965, as amended, passed its third and final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Gill moved that the rules be suspended to consider the Consent Calendar, which motion prevailed.

CONSENT CALENDAR

House Joint Resolution No. 159--Relative to urging T.W.R.A. to withdraw involvement, Mississippi Valley Population Plan.

House Bill No. 863--To amend Section 39-1105, Code.

On motion, House Bill No. 863 was made to conform with Senate Bill No. 423.

On motion, Senate Bill No. 423, on same subject, was substituted for House Bill No. 863.

House Resolution No. 28--Relative to establishing a toll-free telephone line, reporting government abuse.

House Bill No. 1300--To provide for judge, Trial Justice Court, Sevier County.

House Bill No. 1301--To set term of office, Hamilton County Board of Education.

House Bill No. 1304--To regulate school system, Manchester.

House Joint Resolution No. 199--Relative to honoring Commissioner Charles A Howell, III.

House Joint Resolution No. 201--Relative to honoring Dana Coleman.

House Joint Resolution No. 202--Relative to commending Stephen D. Ruff.

House Joint Resolution No. 203--Relative to congratulating Smyrna Lady's basketball team.

House Joint Resolution No. 204--Relative to memory Jess Neely.

House Joint Resolution No. 205--Relative to expressing appreciation, Martha Roberts.

House Joint Resolution No. 206--Relative to congratulating MTSU Lady Raiders.

House Joint Resolution No. 207--Relative to commending Sam Belew and Ruth Buhls.

House Joint Resolution No. 208--Relative to congratulating Mrs. Thelma Renner.

House Joint Resolution No. 209--Relative to thanking Robert Moore, Jr.

House Resolution No. 60--Relative to honoring Reverend Bill Bates.

Senate Joint Resolution No. 67--Relative to study, use, institutional facilities.

Senate Joint Resolution No. 94--Relative to commending Julia S. Gibbons.

Senate Joint Resolution No. 100--Relative to memory, Dr. Hobart Ford.

Mr. Gill moved that all House and Senate Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions on the Consent Calendar be

adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--97.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1169--To make certain provisions, severance tax.

Mr. King (Washington) moved that House Bill No. 1169 be passed on third and final consideration.

Mr. Cobb moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 1169 by deleting Section 1 of the Bill in its entirety and substituting a new Section 1 which provides as follows:

"Notwithstanding any other provision of law to the contrary, whether by public or private act, any governmental entity which levies and collects a tax on minerals severed in that jurisdiction shall refund or rebate such tax to the governmental entity purchasing said minerals, upon proper application by the governmental entity if:

- (1) such minerals are sold directly to a governmental entity; or
- (2) such minerals are sold to a private contractor who purchases such minerals under a contract with a governmental entity which requires the use of such minerals for completion of such contract."

and further amend by designating the existing Section 2 as Section 3 and adding a new Section 2 to provide as follows:

"Each governmental entity which levies and collects a tax on minerals severed in that jurisdiction shall develop procedures to refund or rebate such taxes pursuant to Section 1, including a reasonable procedure for submission of proof by the purchasing or contracting governmental entity that such sales qualify for such refund or rebate."

On motion, the amendment was adopted.

Mr. Miller moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 1169 by adding the word "certain" between the word "severing" and the word "minerals" in Section 1.

and further amend by adding the following as a new section:

SECTION _____. The minerals that are exempted from tax under the provisions of this act are as follows; limestone, sandstone, gravels, chert, granite, quartzite, gneiss, sands and slag.

On motion, the amendment was adopted.

Mr. Speaker McWherter moved to amend as follows:

AMENDMENT NO. 3

Amend House Bill No. 1169 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section _____. The provisions of this act shall not apply in any county having a population of not less than 32,850 nor more than 32,950 according to the 1980 federal census or any subsequent federal census.

Mr. King (Washington) moved that the Amendment No. 3 be tabled, which motion failed.

Thereupon, on motion, Amendment No. 3 was adopted.

Mr. Bragg moved that the rules be suspended in order that all remaining amendments which amend counties out of the bill be incorporated to become Amendment No. 4, which motion prevailed.

Mr. Bragg moved that Amendment No. 4 be adopted.

Mr. King (Washington) moved that the motion be tabled, which motion failed by the following vote:

Ayes	21
Noes	56
Present and not voting	4

Representatives voting aye were: Burnett, Chiles, Clark (Davidson), Covington, DeBerry, Ellis, Elsea, Harrill, Hassell, Hudson, Jones, King (Washington), Moore (Shelby), Nance, Robinson (Davidson), Scruggs, Stafford, Tanner, Withers, Wood and Yelton--21.

Representatives voting no were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Byrd, Clark (Sumner), Cobb, Crain, Davidson, Davis (Gibson), DePriest, Disspayne, Dixon, Drew, Ford, Frensley, Gafford, Gaia, Gill, Herndon, Hillis, Hurley, Huskey, Johnson, Kelley, Kent, Kernell, Kisber, Love, McNally, Montgomery, Moore (Sullivan), Murphy, Murray, Naifeh, Percy, Phillips, Pickering, Robinson (Hamilton), Robinson (Washington), Severance, Shirley, Shockley, Sir, Smith, Stallings, Ussery, Wallace, Webb, Whitson, Williams, Wolfe and Work--56.

Representatives present and not voting were: Jared, Miller, Owen and Rhinehart--4.

Mr. Bragg renewed his motion to adopt Amendment No. 4.

Mr. Copeland moved that House Bill No. 1169 be placed on the Calendar for January, 1984.

Mr. King (Washington) moved that the motion be tabled, which motion failed by the following vote:

Ayes	43
Noes	45
Present and not voting	3

Representatives voting aye were: Anderson, Chiles, Clark (Davidson), Cobb, Covington, DeBerry, Disspayne, Dixon, Drew, Ellis, Gaia, Harrill, Hudson, Hurley, Huskey, Jared, Jones, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Sullivan), Murphy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Washington), Scruggs, Severance, Smith, Stafford, Tanner, Webb, Withers, Wix, Wood and Yelton--43.

Representatives voting no were: Atchley, Bell, Bewley, Bragg, Brewer, Buck, Byrd, Clark (Sumner), Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Elsea, Ford, Gafford, Gill, Hassell, Herndon, Hillis, Johnson, Kelley, Kent, Kernell, Moore (Shelby), Murray, Naifeh, Nance, Napier, Percy, Pickering, Robinson (Hamilton), Shirley, Shockley, Sir, Stallings, Starnes, Turner, Wallace, Whitson, Williams, Wolfe and Work--45.

Representatives present and not voting were: Bivens, Frensley and Owens--3.

Mr. King (Washington) moved to amend Mr. Copeland's motion to place House Bill No. 1169 on the Calendar for Tuesday, May 3, 1983, which motion prevailed by the following vote:

Ayes	72
Noes	16
Present and not voting	3

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Harrill, Hassell, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Webb, Williams, Withers, Wix, Wood, Work and Yelton--72.

Representatives voting no were: Bell, Bragg, Buck, Crain, Davis (Gibson), DePriest, Herndon, Johnson, Murray, Naifeh, Nance, Pickering, Shirley, Wallace, Whitson and Wolfe--16.

Representatives present and not voting were: Drew, Gill and Sir--3.

Thereupon, the motion to place House Bill No. 1169 on the Calendar for Tuesday, May 3, 1983 failed by the following vote:

Ayes	57
Noes	35
Present and not voting	1

Representatives voting aye were: Anderson, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Pickett), DeBerry, Dixon, Ellis, Elsea, Ford, Gaia, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Jared, Jones, Kent, King (Shelby), King (Washington), McAfee, MaNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Owen, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Tanner, Turner, Ussery, Webb, Wheeler, Williams, Withers, Wix, Wood and Yelton--57.

Representatives voting no were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Crain, Davis (Gibson), DePriest, Dills, Disspayne, Drew, Duer, Frensley, Gafford, Gill, Herndon, Hillis, Johnson, Kelley, Kernell, Kisber, McKinney, Murray, Naifeh, Nance, Napier, Percy, Pickering, Shirley, Sir, Wallace, Whitson, Wolfe and Work--35.

Representative present and not voting was: Davis (Hamilton)--1.

Mr. Naifeh moved that House Bill No. 1169 be re-referred to the Committee on Calendar and Rules.

Mr. Naifeh moved the previous question, on the re-referral motion, which motion failed by the following vote:

Ayes	53
Noes	41
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DePriest, Dills, Disspayne, Dixon, Drew, Duer, Frensley, Gafford, Gaia, Gill, Herndon, Hillis, Hudson, Johnson, Kelley, Kent, Kernell, Kisber, McKinney, McNally, Miller, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Shirley, Shockley, Sir, Stallings, Tanner, Wallace, Webb, Whitson, Withers, Wolfe and Work--53.

Representatives voting no were: Anderson, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, DeBerry, Ellis, Elsea, Ford, Harrill, Hassell, Henry, Hurley, Huskey, Jones, King (Shelby), King (Washington), McAfee, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Pickering, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Smith, Stafford, Starnes, Turner, Ussery, Wheeler, Williams, Wix, Wood and Yelton--41.

Representative present and not voting was: Jared--1.

Thereupon, the motion to re-refer failed by the following vote:

Ayes	37
Noes	57
Present and not voting	1

Representatives voting aye were: Atchley, Bell, Bivens, Bragg, Buck, Clark (Davidson), Crain, Davidson, Davis (Gibson), Davis (Hamilton), DePriest, Dills, Dixon, Drew, Duer, Frensley, Gafford, Gill, Herndon, Hillis, Johnson, Kelley, Kernell, Kisber, McKinney, Murray, Naifeh, Nance, Napier, Pickering, Rhinehart, Shirley, Sir, Wallace, Whitson, Wolfe and Work--37.

Representatives voting no were: Anderson, Bewley, Brewer, Burnett, Byrd, Chiles, Cobb, Copeland, Covington, Davis (Pickett), DeBerry, Disspayne, Ellis, Elsea, Ford, Gaia, Harrill, Hassell, Henry, Hudson, Hurley, Huskey, Jones, Kent, King (Shelby), King (Washington), McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Owen, Percy, Phillips, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Webb, Wheeler, Williams, Withers, Wix, Wood and Yelton--57.

Representative present and not voting was: Jared--1.

Mr. Stafford moved that House Bill No. 1169 be placed in the next available place on the next available Calendar.

Mr. Robinson (Hamilton) moved the previous question, on the motion, which motion prevailed by the following vote:

Ayes	63
Noes	29
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Buck, Burnett, Chiles, Clark (Davidson), Cobb, Copeland, Covington, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), Dills, Disspayne, Dixon, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Harrill, Henry, Hillis, Hudson, Hurley, Huskey, Jared, Kelley, Kernell, King (Shelby), King (Washington), Love, McAfee, Miller, Montgomery, Moore (Sullivan), Owen, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Tanner, Ussery, Wallace, Webb, Wheeler, Williams, Withers, Wix, Wood and Yelton--63.

Representatives voting no were: Bell, Bragg, Byrd, Crain, DeBerry, DePriest, Drew, Gafford, Gill, Hassell, Herndon, Johnson, Jones, Kent, Kisber, McKinney, McNally, Moore (Shelby), Murphy, Murray, Naifeh, Nance, Napier, Pickering, Shirley, Starnes, Turner, Whitson and Wolfe--29.

Representative present and not voting was: Percy--1.

Thereupon, the motion to place House Bill No. 1169 on the next available place on the next available Calendar prevailed by the following vote:

Ayes	86
Noes	6

Representatives voting aye were: Anderson, Atchley, Bewley, Bivens, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Napier, Owen, Percy, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--86.

Representatives voting no were: Bell, Bragg, McKinney, Murray, Nance and Shirley--6.

House Bill No. 1169 was placed on the Calendar for tomorrow.

House Bill No. 720--To provide training, police officers.

Mr. Wix moved that House Bill No. 720 be passed on third and final consideration.

Mr. Wix moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 720 by deleting the amendatory language of Section 1 in its entirety and by substituting in lieu thereof the following:

Tennessee Code Annotated, Section 38-8-101 is amended by deleting the words ", the State of Tennessee, or any political subdivision thereof" and substituting in lieu thereof the words "or any political subdivision of the State of Tennessee".

and by deleting the amendatory language of Section 2 in its entirety and by substituting in lieu thereof the following:

Tennessee Code Annotated, Section 38-8-102 is amended by deleting in subsection (b) the words and punctuation "the commissioner of safety; the director of the Tennessee bureau of investigation;" and by substituting instead the language "two (2) police officers below the rank of assistant chief, or equivalent rank".

and by adding the following new sections immediately following Section 2 and by renumbering the subsequent sections accordingly

Section _____. Tennessee Code Annotated, Section 38-8-104 is amended by deleting subsection (a) (1) in its entirety and by substituting in lieu thereof the following: "Develop, plan and implement law enforcement training programs for all local law enforcement officers in Tennessee;".

On motion, the amendment was adopted.

Mr. Wix moved to amend as follows:

AMENDMENT NO. 2

Amend House Bill No. 720 as follows:

Section _____. Tennessee Code Annotated, Section 38-8-104 is amended by deleting subsection (a)(2) in its entirety and by substituting in lieu thereof the following: "Function as a

clearing house for training programs relating to local law enforcement;"

Section___. Tennessee Code Annotated, Section 38-8-110 is amended by Inserting the language "or to any employees of the State of Tennessee" immediately after the words "elected officers".

On motion, the amendment was adopted.

Thereupon, House Bill No. 720, as amended, passed its third and final consideration by the following vote:

Ayes	95
Noes	0
Present and not voting	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Representative present and not voting was: Buck--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 773--To provide for certain sentence reduction credits.

Mr. Cobb moved that House Bill No. 773 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend House Bill No. 773 by deleting from Section 1 the word and letter "Class X"

AND FURTHER AMENDED BY deleting the existing provisions of Section 7

in their entirety and substituting instead, the following new provision:

Tennessee Code Annotated, Section 41-21-230 is amended by deleting the provisions of subsection (d) in their entirety, and substituting instead, the following provision:

The provisions of Title 40, Chapter 35 to the contrary notwithstanding, persons convicted under the sentence Reform Act of 1982 for crimes which are not designated Class X which occur on or after July 1, 1982, may be awarded Prisoner Performance Sentence Credits as set forth in this section, provided, however, that the sentence credits earned under this section shall not affect such offender's release classification eligibility date but shall be deducted, if awarded, from the expiration date of the sentence served. Person convicted under the Sentence Reform Act of 1982 prior to the effective date of this act may become eligible for the sentence credits authorized by this act by signing a written waiver of his right to serve his sentence under the law in effect at the time his crime was committed.

On motion, the amendment was adopted.

Mr. Rhinehart moved the previous question, which motion prevailed.

Thereupon, House Bill No. 773, as amended, passed its third and final consideration by the following vote:

Ayes	86
Noes	8

Representatives voting aye were: Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Cobb, Copeland, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, McNally, Miller, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood and Work--86.

Representatives voting no were: Covington, Gafford, Huskey, Love, McKinney, Montgomery, Robinson (Davidson) and Yelton--8.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 535--To enact Uniform Durable Power of Attorney Act.

On motion, House Bill No. 535 was made to conform with Senate Bill No. 672.

On motion, Senate Bill No. 672, on same subject, was substituted for House Bill No. 535.

Mr. Cobb moved that Senate Bill No. 672 be passed on third and final consideration.

Mr. Murphy moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 672 by adding the following new section to be designated as SECTION 7, and by renumbering the remaining sections accordingly:

SECTION 7. The next of kin of any principal who has executed a durable power of attorney under the provisions of this act may, upon the disability or incapacity of such principal, petition a court of competent jurisdiction to require a bond of the attorney in fact.

If after consideration of the interests of all parties involved, the court deems a bond necessary, it shall have the authority to order the attorney in fact to execute a bond in an amount deemed appropriate by the court.

FURTHER AMEND by adding the following to the end of SECTION 7:

Provided, however, nothing in this act shall be construed as abolishing or otherwise adversely affecting the conservatorship law or limited guardianship.

On motion, the amendment was adopted.

Mr. Murray moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 672 by changing the period (.) at the end of Section 10 to a semicolon (;) and adding the following:

; however, any powers granted, while these repealed sections were in effect shall remain in full force and effect until otherwise terminated.

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 672, as amended, passed its third and

final consideration by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 1117--To make certain provisions, adopted children.

Mr. Copeland moved that House Bill No. 1117 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Wix, Wolfe, Wood, Work and Yelton--96.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 602--To allow review of adoption records, certain circumstances.

On motion, House Bill No. 602 was made to conform with Senate Bill No. 530.

On motion, Senate Bill No. 530, on same subject, was substituting for House Bill No. 602.

Mr. Henry moved that Senate Bill No. 530 be passed on third and final consideration.

Mr. Henry moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 530 in Section 2 by deleting "thirty (30) years" and insert "twenty six (26) years".

On motion, the amendment was adopted.

Thereupon, Senate Bill No. 530, as amended, passed its third and final considered by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--97.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

Mr. Speaker McWherter resumed the Chair.

House Bill No. 600--To authorize retirement credit, certain employees.

On motion, House Bill No. 600 was made to conform with Senate Bill No. 198.

On motion, Senate Bill No. 198, on same subject, was substituted for House Bill No. 600.

Mr. Murphy moved that Senate Bill No. 198 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	96
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--96.

A motion to reconsider was tabled.

House Bill No. 979--To provide for collection of fines and costs, municipal court.

Mr. Nance moved that House Bill No. 979 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	92
Noes	1
Present and not voting	2

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Washington), Kisber, McAfee, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings,

Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--92.

Representative voting no was: KcKinney--1.

Representatives present and not voting were: Dixon and King (Shelby)--2.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 931--To regulate administration of estates.

On motion, House Bill No. 931 was made to conform with Senate Bill No. 208.

On motion, Senate Bill No. 208, on same subject, was substituted for House Bill No. 931.

Mr. Huskey moved that Senate Bill No. 208 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	1

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--94.

Representative voting no was: Murray--1.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 788--To make certain provisions, suspension of sentence.

Mr. Buck moved that House Bill No. 788 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	95
Noes	0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work and Yelton--95.

Mr. Speaker McWherter was present.

A motion to reconsider was tabled.

House Bill No. 885--To amend Section 53-103, Code.

On motion, House Bill No. 885 was made to conform with Senate Bill No. 542.

On motion, Senate Bill No. 542, on same subject, was substituted for House Bill No. 885.

Mr. McKinney moved that Senate Bill No. 542 be placed on the Calendar for Thursday, April 28, 1983, which motion prevailed.

House Bill No. 795--To make certain provisions, tax exempt property.

On motion, House Bill No. 795 was made to conform with Senate Bill No. 676.

On motion, Senate Bill No. 676, on same subject, was substituted for House Bill No. 795.

Mr. Wheeler moved that Senate Bill No. 676 be passed on third and final consideration.

Mr. Wheeler moved to amend as follows:

AMENDMENT NO. 1

Amend Senate Bill No. 676 by deleting in the amendatory language of Section 1 the words "for charitable, educational or administrative purposes of the organization,"

and substituting instead the following:

for charitable, educational, administrative, or meetings for the purpose of the organization,

AND FURTHER AMEND by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, the amendment was adopted.

Mr. Kernell moved to amend as follows:

AMENDMENT NO. 2

Amend Senate Bill No. 676 by adding the following new sentence at the end of Section 1:

Provided, however, no such organization which discriminates against any person based upon race, sex, religious beliefs or national origin shall be eligible for the property tax exemption authorized by this subsection.

On motion, the amendment was adopted.

Mr. Robertson moved that Senate Bill No. 676 be referred to the Committee on Finance, Ways and Means, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENT

House Bill No. 527--To regulate voter registration by mail.

SENATE AMENDMENT NO. 2

Amend House Bill No. 527 by deleting the amendatory language in Section 1 in its entirety and substituting in lieu thereof the following:

The Coordinator of Elections shall place dispensers containing voter registration by mail forms in any driver examination station and all other offices that process the issuance of new Tennessee driver's license and the renewal of existing ones. Each county election commission may conduct supplemental voters registration at any driver examination station and all other offices that process the issuance of new Tennessee driver's license and the renewal of existing ones.

Mr. Cobb moved that the House non-concur in Senate Amendment No. 2, which motion prevailed.

HOUSE BILL ON SENATE AMENDMENTS

House Bill No. 917--To provide for charter form of county government.

Mr. Gill moved that the House concur in Senate Amendments Nos. 3, 4, 5, 6 and 7.

Ms. DeBerry moved that the amendments be considered separately, which motion prevailed.

SENATE AMENDMENT NO. 3

Amend House Bill No. 917 by adding the following Section before the effective date Section and by renumbering the subsequent Section accordingly:

SECTION__. No apportionment or districting plan utilized by any county adopting a charter pursuant to this Section shall cause the dilution of minority voting strength.

Mr. Gill moved that the House concur in Senate Amendment No. 3, which motion prevailed.

SENATE AMENDMENT NO. 4

Amend House Bill No. 917 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION__. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

Mr. Gill moved that the House concur in Senate Amendment No. 4, which motion prevailed.

SENATE AMENDMENT NO. 5

Amend House Bill No. 917 by adding the following new section:

Section__. The provisions of this act shall not apply to any county having a population of not less than one hundred thousand (100,000) nor more than two hundred thousand (200,000) according to the 1980 federal census or any subsequent federal census of population.

Mr. Gill moved that the House concur in Senate Amendment No. 5, which motion prevailed.

Mr. Gill moved that the House Bill No. 917 be placed on the Message Calendar for tomorrow, which motion prevailed.

Mr. Love moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 217 out of order, which motion prevailed.

House Joint Resolution No. 217--Relative to memory, Clifford Wray--By McKinney, Naifeh, Love, McNally, Burnett, Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, McAfee, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter

Mr. Love moved that House Joint Resolution No. 217 be adopted, which motion prevailed by the following vote:

Ayes 99
Noes 0

Representatives voting aye were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Pruitt, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--99.

A motion to reconsider was tabled.

Mr. Wolfe moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 213 out of order, which motion prevailed.

House Joint Resolution No. 213--Relative to congratulating Carole Lynn McKinney--By Wolfe and Stallings.

Mr. Wolfe moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 213, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

FURTHER CONSIDERATION OF AMENDED BILL

House Bill No. 197--To provide for levy of motor vehicle taxes.

Mr. Bragg moved that the House refuse to recede from its action in nonconcurring Senate Amendments Nos. 1, 2, 6, 7, 8, 9 and 10 to House Bill No. 197, which motion prevailed.

Mr. Bragg moved that the Speaker appoint a Conference Committee to meet with a like committee from the Senate to resolve the differences of the House and Senate on House Bill No. 197, which motion prevailed.

APPOINTMENT OF CONFERENCE COMMITTEE

The Speaker appointed Representatives Bragg, McKinney and Burnett as the Conference Committee on House Bill No. 197.

Ms. DeBerry moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 215 out of order, which motion prevailed.

House Joint Resolution No. 215--Relative to honoring B. C. Brooks--By DeBerry.

Ms. DeBerry moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 215, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

Mr. Davis (Gibson) moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 216 out of order, which motion prevailed.

House Joint Resolution No. 216--Relative to honoring Dr. T. O. "Doc" Lashlee--By Davis (Gibson).

Mr. Davis (Gibson) moved that the rules be suspended for the immediate consideration of House Joint Resolution No. 216, which motion prevailed.

On motion, the resolution was adopted.

A motion to reconsider was tabled.

SECOND ROLL CALL

The roll call was taken with the following results:

Present 98

Representatives present were: Anderson, Atchley, Bell, Bewley, Bivens, Bragg, Brewer, Buck, Burnett, Byrd, Chiles, Clark (Davidson), Clark (Sumner), Cobb, Copeland, Covington, Crain, Davidson, Davis (Gibson), Davis (Hamilton), Davis (Pickett), DeBerry, DePriest, Dills, Disspayne, Dixon, Drew, Duer, Ellis, Elsea, Ford, Frensley, Gafford, Gaia, Gill, Harrill, Hassell, Henry, Herndon, Hillis, Hudson, Hurley, Huskey, Jared, Johnson, Jones, Kelley, Kent, Kernell, King (Shelby), King (Washington), Kisber, Love, McAfee, McKinney, McNally, Miller, Montgomery, Moore (Shelby), Moore (Sullivan), Murphy, Murray, Naifeh, Nance, Napier, Owen, Percy, Phillips, Pickering, Rhinehart, Robertson, Robinson (Davidson), Robinson (Hamilton), Robinson (Washington), Scruggs, Severance, Shirley, Shockley, Sir, Smith, Stafford, Stallings, Starnes, Tanner, Turner, Ussery, Wallace, Webb, Wheeler, Whitson, Williams, Withers, Wix, Wolfe, Wood, Work, Yelton and Mr. Speaker McWherter--98.

INTRODUCTION OF RESOLUTION

House Joint Resolution No. 211--Relative to congratulating Janet Fay Breazeale--By King (Washington).

Under the rules, House Joint Resolution No. 211 was referred to the Committee on Calendar and Rules.

INTRODUCTION OF BILLS

House Bill No. 1321--To set coon season, Carter and Johnson Counties--By Whitson and Percy.

Passed first consideration.

House Bill No. 1322--To set coon season, Bradley County--By Bivens, Copeland and Webb.

Passed first consideration.

House Bill No. 1323--To set coon season, Loudon County--By Stafford.

Passed first consideration.

House Bill No. 1324--To set coon season, Knox County--By Miller.

Passed first consideration.

House Bill No. 1325--To set coon season, Hawkins County--By Hurley.

Passed first consideration.

HOUSE BILLS ON SECOND CONSIDERATION

House Bill No. 1306--To grant certain authority, Juvenile Court, Henry County.

Passed second consideration and held without reference.

House Bill No. 1307--To increase number of Commissioners, Humphreys County Port Authority.

Passed second consideration and held without reference.

House Bill No. 1308--To set coon season, Sevier and Blount Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1309--To set coon season, Pickett, Clay, Smith and Jackson Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1310--To set coon season, Cumberland County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1311--To set coon season, Roane County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1312--To levy tax on amusements, certain municipalities.

Passed second consideration and held without reference.

House Bill No. 1314--To set coon season, Hancock County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1315--To set coon season, Putnam County.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1316--To provide for protection of archaeological sites, certain counties.

Passed second consideration and referred to Committee on Conservation and Environment.

House Bill No. 1317--To set coon season, Monroe, Polk and McMinn Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1318--To set coon season, Greene, Cocke and Hamblen Counties.

Passed second consideration and referred to Committee on Calendar and Rules.

House Bill No. 1319--To amend charter, Burns.

Passed second consideration and held without reference.

House Bill No. 1320--To make certain provisions, safe deposit boxes.

Passed second consideration and referred to Committee on Commerce.

REPORTS FROM STANDING COMMITTEES

CONSERVATION AND ENVIRONMENT

MR. SPEAKER: Your Committee on Conservation and Environment begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 942; House Resolutions Nos. 49 and 55; and House Joint Resolutions Nos. 174, 175 and 176.

HILLIS, Chairman.

Under the rules, House Bills Nos. 942; House Resolutions Nos. 49 and 55; and House Joint Resolutions Nos. 174, 175 and 176 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 266 (with amendment), 351 (with amendments), 387, 574 (with amendments), 653 (with amendments), 678, 740, 761 (with amendment), 844 (with amendment), 909 (with amendment), 937, 989, 1056 (with amendment), 1072 (with amendment), 1142, 1158 (with amendment), 1174, 1175; House Resolution No. 29; House Joint Resolutions Nos. 154 and 197.

BRAGG, Chairman.

Under the rules, House Bills Nos. 266, 351, 387, 574, 653, 678, 740, 761, 844, 909, 937, 989, 1056, 1072, 1142, 1158, 1174, 1175; House Resolution No. 29; House Joint Resolutions Nos. 154 and 197 were transmitted to the Committee on Calendar and Rules.

FINANCE, WAYS AND MEANS

MR. SPEAKER: Your Committee on Finance, Ways and Means begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 9 (with amendment), 596 (with amendment), 777 (with amendment), 1069 (with amendments), 1112 (with amendment), 1125 (with amendment), 1161 (with amendments) and 1162 (with amendment).

BRAGG, Chairman.

Under the rules, House Bills Nos. 9, 596, 777, 1069, 1112, 1125, 1161 and 1162 were transmitted to the Committee on Calendar and Rules.

GENERAL WELFARE

MR. SPEAKER: Your Committee on General Welfare begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 874, 1302 and House Joint Resolution No. 177.

STARNES, Chairman.

Under the rules, House Bills Nos. 874, 1302 and House Joint Resolution No. 177 were transmitted to the Committee on Calendar and Rules.

JUDICIARY

MR. SPEAKER: Your Committee on Judiciary begs leave to report that we have carefully considered and recommend for passage: House Bills Nos. 29 (with amendment), 35 (with amendment), 411, 448 (with amendment), 670, 686, 889 (with amendment) and 935 (with amendment).

MURPHY, Chairman.

Under the rules, House Bill Nos. 29, 35, 411, 448, 670, 686, 889 and 935 were transmitted to the Committee on Calendar and Rules.

REPORT OF COMMITTEE ON CALENDAR AND RULES

MR. SPEAKER: Your Committee on Calendar and Rules begs leave to report that we have met and set the following bills on the Calendar for Thursday, April 28, 1983: House Bills Nos. 647, 897, 895, 573, 974, 775, 1144, 741, 804, House Joint Resolution No. 136, House Bills Nos. 1105, 705, 430, 67, 52 and 995.

GILL, Chairman.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to transmit to the House, Senate Bills Nos. 177, 484, 553, 574, 793, 1062, 1115, 1152 and 1185; also, Senate Joint Resolutions Nos. 90 and 92; all for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SIGNED

The Speaker announced that he had signed the following: Senate Bills Nos. 177, 484, 553, 574, 793, 1062, 1115, 1152 and 1185; and Senate Joint Resolutions Nos. 90 and 92.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos. 10, 604, 855 and 859; all signed by the Speaker.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined House Bill No. 1192; and House Joint Resolutions Nos. 84 and 207; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE GOVERNOR

MR. SPEAKER:

I am directed by the Governor to return herewith: House Bill No. 490, and House Joint Resolutions Nos. 178 and 181, with his approval.

WILLIAM C. KOCH, JR.,
Counsel to the Governor.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

196--To make certain provisions, retirement system;

545--To amend Section 55-7-116, Code;

1123--To enact the Emergency Powers Act; all substituted for Senate Bills on same subject, all amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

REPORT OF DELAYED BILLS COMMITTEE

The undersigned members of the Delayed Bills Committee have approved the following bill: House Bill No. 1305, 1308, 1309, 1310, 1311, 1313, 1314, 1315, 1317, 1318, 1321, 1322, 1323, 1324 and 1325.

Ned R. McWherter

James R. McKinney

James M. Henry

ENGROSSED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully examined 720, 773, 788, 979, 1117, 1135, 1177, 1178, 1300, 1301 and 1304; and House Joint Resolutions Nos. 159, 199, 201, 202, 203, 204, 205, 206, 208, 209, 213, 215, 216 and 217; and find same correctly engrossed and ready for transmission to the Senate.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Joint Resolutions Nos.:

143--Relative to Railroad Retirement Solvency Act;

207--Relative to Bristol Special Olympics; all concurred in by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

MESSAGE FROM THE SENATE

MR. SPEAKER: I am directed to return to the House, House Bills Nos.:

626--To create Reelfoot Lake Regional Utility and Planning District;

815--To amend Title 67, Chapter 5, Code;

852--To make certain provisions, state building commission;

971--To make certain provisions, corporate excise tax;

1055--To regulate certain prepaid dental plans; all substituted for Senate Bills on same subject and passed by the Senate.

CLYDE W. McCULLOUGH, JR.,
Chief Clerk.

SPONSORS ADDED

Without objection, the rules were suspended to allow the following members to add their names as sponsors to the bills as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 391--Cobb

House Bill No. 1076--Robertson (Co-Prime)

ENROLLED BILLS

MR. SPEAKER:

Your Chief Engrossing Clerk begs leave to report that we have carefully compared House Joint Resolution No. 207; and find same correctly enrolled and ready for the signatures of the Speakers.

MARILYN EVELYN HAND,
Chief Engrossing Clerk.

SIGNED

The Speaker announced that he had signed the following: House Joint Resolution No. 207.

LOCAL BILLS TRANSMITTED TO CALENDAR AND RULES

In accordance with Rule No. 47, the following local bills, having received authorization for passage by the local legislative delegation, were transmitted to the Committee on Calendar and Rules: House Bills Nos. 1306, 1307 and 1319.

REPORT OF COMMITTEE ON CALENDAR AND RULES

CONSENT CALENDAR

MR. SPEAKER: The officers of your Committee on Calendar and Rules beg leave to report that we have met and set the following bills on the Consent Calendar for Thursday, April 28, 1983: House Joint Resolution No. 177; House Bill No. 703; House Joint Resolutions Nos. 77, 165; House Resolution No. 30; House Bills Nos. 926 and 1007; Senate Joint Resolution No. 88; House Bills Nos. 1306, 1307, 1319; House Joint Resolutions Nos. 174, 175, 176 and 211.

GILL, Chairman.

On motion of Mr. Naifeh, the House adjourned until 9:00 a.m. tomorrow.